



Atty. Dkt. No. 032026-0754

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Luke J. Mawst, et al.

Title: TYPE II QUANTUM WELL MID-  
INFRARED OPTOELECTRONIC  
DEVICES

Appl. No.: 10/772,573

Filing Date: 2/5/2004

Examiner: Thomas L. Dickey

Art Unit: 2826

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Michelle Manning</u> (Printed Name)</p> <p><u><i>Michelle Manning</i></u> (Signature)</p> <p><u>December 13, 2005</u> (Date of Deposit)</p>
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**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated September 14, 2005, concerning the above-referenced patent application. The initial deadline for responding to the Office Action expires on December 14, 2005. Therefore, applicants believe this response is timely filed.

The Patent Office is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. For the purpose of charging said Deposit Account, a duplicate of page one and the signature page of this response is submitted herewith.

**Amendments to the Claims** are reflected in the listing of claims which begins on page of this document.

**Remarks/Arguments** begin on page 10 of this document.

Please amend the application as follows:



*ITW*  
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**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[ ] Assertion of Small Entity status is enclosed.

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	67	-	65	=	2	x	\$50.00	=	\$100.00
Independent Claims:	4	-	4	=	0	x	\$200.00	=	\$0.00

First presentation of any Multiple Dependent Claims:	+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL				= \$100.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$100.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$100.00

- ☒ Please charge Deposit Account No. 50-2350 in the amount of \$100.00. A duplicate copy of this transmittal is enclosed.

- ☐ A check in the amount of \$100.00 is enclosed.

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such

extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to  
Deposit Account No. 50-2350.

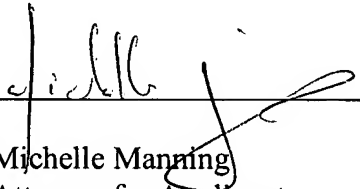
Please direct all correspondence to the undersigned attorney or agent at the address  
indicated below.

Respectfully submitted,

Date: December 13, 2005

FOLEY & LARDNER LLP  
Customer Number: 23524  
Telephone: (608) 258-4305  
Facsimile: (608) 258-4258

By

  
\_\_\_\_\_  
Michelle Manning  
Attorney for Applicants  
Registration No. 50,592